



General Assembly

Substitute Bill No. 174

February Session, 2010

* ____SB00174PH____042010____ *

AN ACT CONCERNING THE STANDARDS OF WATER QUALITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-426 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The Commissioner of Environmental Protection shall adopt [,
4 and may thereafter amend,] regulations, in accordance with the
5 provisions of chapter 54 to establish standards of water quality
6 applicable to the various waters of the state or portions thereof. [as
7 provided in this section.] Such standards shall be consistent with the
8 federal Water Pollution Control Act and shall be for the purpose of
9 qualifying the state and its municipalities for available federal grants
10 and for the purpose of providing clear and objective public policy
11 statements of a general program to improve the water resources of the
12 state; provided no standard of water quality adopted shall plan for,
13 encourage or permit any wastes to be discharged into any of the
14 waters of the state without having first received the treatment
15 available and necessary for the elimination of pollution. Such
16 standards of quality shall: (1) Apply to interstate waters or portions
17 thereof within the state; (2) apply to such other waters within the state
18 as the commissioner may determine is necessary; (3) protect the public
19 health and welfare and promote the economic development of the
20 state; (4) preserve and enhance the quality of state waters for present

21 and prospective future use for public water supplies, propagation of
22 fish and aquatic life and wildlife, recreational purposes and
23 agricultural, industrial and other legitimate uses; (5) be consistent with
24 health standards as established by the Department of Public Health.
25 Any documentation that forms the basis for the standards sought to be
26 adopted, amended or repealed shall be available to the public no later
27 than sixty days prior to the date of the public notice required under
28 section 4-168.

29 [(b) Prior to adopting, amending or repealing standards of water
30 quality, the commissioner shall conduct a public hearing. Notice of
31 such hearing specifying the waters for which standards are sought to
32 be adopted, amended or repealed and the time, date and place of such
33 hearing shall be published as provided in said subdivision (1) of
34 section 22a-6 and also at least twice during the thirty-day period
35 preceding the date of the hearing in a newspaper having a general
36 circulation in the area affected and shall be given by certified mail to
37 the chief executive officer of each municipality in such area. Prior to
38 the hearing the commissioner shall make available to any interested
39 person any information he has as to the water which is the subject of
40 the hearing and the standards under consideration, and shall afford to
41 any interested person the opportunity to submit to him any written
42 material. At the hearing, any person shall have the right to make a
43 written or oral presentation. A full transcript or recording of each
44 hearing shall be made and kept available in the files of the Department
45 of Environmental Protection.]

46 [(c)] (b) The commissioner shall establish the effective date of the
47 adoption, amendment or repeal of standards of water quality, subject
48 to the provisions of subdivision (1) of section 22a-6. Notice of such
49 adoption, amendment or repeal shall be published in the Connecticut
50 Law Journal upon acceptance thereof by the federal government.

51 [(d)] (c) The commissioner shall monitor the quality of the subject
52 waters to demonstrate the results of his program to abate pollution.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	22a-426
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CE *Joint Favorable C/R* ENV

ENV *Joint Favorable Subst.*

PH *Joint Favorable*